

CHAPTER 41

TAXATION

HOUSE BILL 00-1310

BY REPRESENTATIVES Dean, Spradley, Allen, Clapp, Coleman, Decker, Fairbank, Gotlieb, Hefley, Hoppe, King, Larson, Lawrence, Lee, McElhany, McKay, Miller, Mitchell, Scott, Stengel, T. Williams, and Young;
also SENATORS Owen, Evans, Feeley, Hernandez, Lamborn, Musgrave, Reeves, Rupert, Tebedo, and Teck.

AN ACT

CONCERNING THE CREATION OF A TEMPORARY CREDIT AGAINST UNEMPLOYMENT INSURANCE TAXES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-76-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

8-76-103. Future rates based on benefit experience - repeal. (7) (a) FOR CALENDAR YEARS 2001 AND 2002, SUBJECT TO THE CONDITIONS STATED IN PARAGRAPH (b) OF THIS SUBSECTION (7), AN EMPLOYER SHALL BE ELIGIBLE FOR A CREDIT OF TWENTY PERCENT AGAINST TAXES OTHERWISE DUE UNDER SECTION 8-76-102 (3) AND SUBSECTION (3) OF THIS SECTION. FOR PURPOSES OF COMPUTING AN EMPLOYER'S FUTURE RATES, ANY TAX CREDIT CLAIMED BY THE EMPLOYER UNDER THIS SUBSECTION (7) SHALL BE DISREGARDED AND THE TAXES THAT WOULD OTHERWISE HAVE BEEN DUE SHALL BE DEEMED PAID.

(b) AN EMPLOYER SHALL NOT RECEIVE TAX CREDITS UNDER THIS SUBSECTION (7) UNLESS ALL OF THE FOLLOWING CONDITIONS ARE MET:

(I) AS OF THE MOST RECENT COMPUTATION DATE, THE EMPLOYER HAS FILED ALL REQUIRED REPORTS AND PAID ALL TAXES DUE UNDER ARTICLES 70 TO 82 OF THIS TITLE;

(II) THE EMPLOYER IS NOT A NEGATIVE EXCESS EMPLOYER ASSIGNED THE MAXIMUM TAX RATE UNDER SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (II) OF PARAGRAPH (b) OF SUBSECTION (3) OF THIS SECTION;

(III) THE EMPLOYER HAS NOT ELECTED TO MAKE REIMBURSEMENT PAYMENTS IN

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

LIEU OF TAXES; AND

(IV) AS OF THE COMPUTATION DATE IMMEDIATELY PRECEDING THE CALENDAR YEAR FOR WHICH THE CREDIT IS TO BE TAKEN, THE UNEXPENDED AND UNENCUMBERED BALANCE IN THE UNEMPLOYMENT COMPENSATION FUND, CREATED IN SECTION 8-77-101 (1), EQUALED OR EXCEEDED ONE AND ONE-TENTH PERCENT OF THE TOTAL AMOUNT OF INSURED WAGES PAID IN COLORADO DURING THE CALENDAR YEAR IMMEDIATELY PRECEDING THE COMPUTATION DATE.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 16, 2000